TL4404

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
Director Eric Sottas

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Case IDN/TMP 200598

The International Secretariat of OMCT requests your **URGENT** intervention in the following situation in **Indonesia / East Timor.**

Brief description of the situation:

The East Timor Human Rights Centre (ETHRC), a member of the network, has expressed its grave concern for the physical and psychological integrity of seven East Timorese men who are currently in detention following their arrest between 8 and 16 April, 1998, in Wailili village, Baucau.

According to the information received, on 8 April, **Domingos Oliveira**, who is alleged to be a member of the East Timorese clandestine residence, was arrested by members of Kopassus (Special Forces Command) in Wailili village. While undergoing interrogation, it is believed Mr. **Oliveira** was subjected to serious torture and beatings and forced to disclose the identity of six other Timorese men who are also alleged to be members of the clandestine residence. The other six men were subsequently arrested between 14 and 16 April and have been subjected to beatings in detention. The men's faces have been badly bruised as a result.

On 14 April at about 9pm, members of Kopassus, the Rajawali and BTT (Territorial) battalions surrounded the home of **Salustiano Freitas** in Samala hamlet, Wailili village, and began shooting indiscriminately, injuring **Freitas**, his wife **Maria**, and one of their children. The injured child is believed to have received medical treatment for his injuries and has now returned home. **Maria Freitas** allegedly died as a result of gunshot wounds but this is still unconfirmed.

Military personnel allegedly found resistance documents and ammunition at **Salustiano Freitas'** house and **Freitas** was taken into custody at POLRES (Police Resort, the district police) in Baucau and charged under Article 1 of the Emergency Law Regulation No.12/1951, which relates to the illegal possession of weapons.

Over the next two days **Lucio de Jesus, Jose da Costa, Paulo da Costa Soares, Alberto da Costa** and **Martins Belo** were also arrested. All seven men are still detained at POLRES and have been charged under Article 1 of the Emergency Law Regulation No.12/1951.

The International Secretariat of OMCT is concerned that the seven men may be at risk of further torture and ill-treatment, especially since the seven men have been denied access to their families and humanitarian assistance.

Action Requested:

Please write letters to the authorities of Indonesia urging them to:

i. guarantee the physical and psychological integrity of **Domingos Oliveira, Salustiano Freitas, Lucio de Jesus, Jose da Costa, Paulo da Costa Soares, Alberto da Costa** and **Martins Belo** and immediately ensure their access to legal representation, family members and humanitarian assistance;

ii. order their immediate release if they are detained without valid charges, or if such charges exist, bring them before a competent and impartial tribunal and guarantee their full procedural rights;

iii. guarantee an impartial and exhaustive enquiry into the killing of **Maria Freitas** and the injuring of her and **Salustiano Freitas'** child, and the alleged torture and ill-treatment of the seven people arrested, identify those responsible, bring them to trial, and apply the penal, civil and/or administrative sanctions provided by law;

iv. ensure in all circumstances respect for Human rights and fundamental freedoms in accordance with national laws and international standards;

Addresses:

MINISTER OF JUSTICE, M. Haji Utoyo Usman S.H., Menteri Kehakiman, Jl. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax: +62 21 525 3095.

MINISTER OF FOREIGN AFFAIRS, Ali Alatas S.H Menteri Luar Negeri, Jl. Medan Taman Pejambon No. 6 Jakarta, Indonesia, Fax: + 62 21 360 541 / 360 517 / 380 5511 / 345 7782 / 724 5354.

CHIEF OF NATIONAL POLICE, Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, Jl. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia, Telegrams: National Police Chief, Jakarta, Indonesia.

MILITARY COMMANDER REGION IX/UDAYANA (includes East Timor) General Syahrir MS, Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia, Telegram: Pangdam IX/Udayana, Denpasar, Bali Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS, Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), Jl. Latuharhary No 4 B, Menteng Jakarta Pusat, Indonesia, Phone/Fax: +62 21 392 5227. E-mail: info@komnas.go.id

The Indonesian Embassy in your respective country.

Geneva, 20 May 1998

Kindly inform us of any action taken quoting the code of this appeal in your reply.